



Arizona Medical Board

9545 E. Doubletree Ranch Road • Scottsdale, AZ 85258-5514
Telephone: 480-551-2700 • Toll Free: 877-255-2212 • Fax: 480-551-2705
Website: www.azmd.gov

January 4, 2011

Daniel P. Jantsch
7243 North 16th Street
Phoenix, AZ 85020-5203

RE: **Bethany L. Luce, M.D.**
Case# MD-10-0660A

Dear Mr. Jantsch:

The purpose of this letter is to inform you that during the course of the December 8, 2010 public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue Dr. Luce this Advisory Letter for prescribing excessive amounts of narcotics, and a Non-Disciplinary CME Order requiring the physician to obtain 15-20 hours of Board staff pre-approved Category I CME in a chronic pain management course, to be completed within six months. The course hours shall be in addition to the hours required for the biennial renewal of medical licensure. This matter does not rise to the level of discipline.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, the licensee may file a written response to the letter with the Board within thirty days after its receipt A.R.S. § 32-1451(E)(3). Please be aware that Board staff will only post a narrative response by the licensee or the licensee's legal representative on the Board's website. Accordingly, please do not include medical records or third party opinions as part of your response. Also, please remember that your client is responsible for maintaining the confidentiality of the patient's identity. Finally, Board staff requests that the response not disclose the name of the medical consultant who reviewed the case or the name of any other healthcare provider associated with the matter in question. If timely received, the response will be attached to the advisory letter and maintained in the licensee's permanent file. The written response will also be hyperlinked to the licensee's profile on the agency's website.

A list of pre-approved CME courses is available on the Board's website, under the Physician Center tab. There is no need to contact staff prior to completing a course on the pre-approved list. If you wish to complete a course not listed on the website, you must obtain pre-approval prior to registering for CME by contacting Kathleen Muller, Compliance, at 480-551-2716.

Sincerely,

Amanda Schwabe

Amanda Schwabe
Board Coordinator
E-mail: boardcoordinator@azmd.gov
Ph: (480) 551-2712
Fx: (480) 551-2705

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **BETHANY L. LUCE, M.D.**

4 Holder of License No. **32468**
5 For the Practice of Allopathic Medicine

6 In the State of Arizona.

Case No. MD- 10-0660A
ORDER FOR CONTINUING MEDICAL
EDUCATION

(NON-DISCIPLINARY)

7
8 At its public meeting on December 8, 2010, the Arizona Medical Board ("Board") voted to
9 issue Bethany L. Luce, M.D. ("Physician") a non-disciplinary Continuing Medical Education (CME)
10 Order for prescribing excessive narcotics in violation of A.R.S. § 32-1401(27)(q). The Board
11 ordered Physician to complete 15-20 hours of Board staff pre-approved Category I non-disciplinary
12 CME in chronic pain management within six months pursuant to A.R.S. §32-1451(E)(2). The CME
13 hours shall be in addition to the hours required for the biennial renewal of medical licensure. This
14 matter does not rise to the level of discipline.

15 **ORDER**

16 IT IS HEREBY ORDERED that Physician shall, within six months, complete 15-20 hours of
17 Board Staff pre-approved Category I Continuing Medical Education ("CME") in chronic pain
18 management, and provide Board Staff with satisfactory proof of attendance. The CME hours shall
19 be in addition to the hours required for biennial renewal of his/her medical license. Respondent's
20 failure to complete the CME will subject him/her to future disciplinary action by the Board. A.R.S. §
21 32-1401(27)(r).

22 **RIGHT TO APPEAL**

23 **NOTICE IS HEREBY GIVEN** that, pursuant to A.R.S. § 41-1092.03, any person aggrieved by this
24 decision may apply to the Board, in writing, within thirty (30) days of receipt and request a public
25 hearing with respect to this order. You may request a hearing by filing a notice of appeal. The

notice of appeal must be filed with the Board's Executive Director, and should include your name, address, the action being appealed, and a concise statement of the reasons for the appeal. If you request a public hearing, the hearing will be scheduled within sixty (60) days of receipt of your request. If you request a public hearing, you also have the right to request an informal settlement conference by filing a written request with the Board, pursuant to A.R.S. § 41-1092.06, no later than twenty (20) days before the scheduled hearing. The conference will be held within fifteen (15) days after receipt of your request. Please note that you waive any right to object to the participation of the Board's representative in the final administrative decision of the matter if it is not settled at the conference.

DATED this 4th day of JANUARY, 2011.



ARIZONA MEDICAL BOARD

By [Signature]
LISA S. WYNN
Executive Director

ORIGINAL of the foregoing filed this 4th day of January, 2011 with:

Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

EXECUTED COPY of the foregoing
Mailed by US Mail this 4th day of January, 2011 to:

Mr. Daniel P. Jantsch
Olson, Jantsch, & Bakker, P.A.
7243 North 16th Street
Phoenix, AZ 85020-5203

[Signature]